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**ILLINOIS COMMERCE COMMISSION**  
**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

**ORIGINAL**

ILLINOIS *gr*  
COMMERCE COMMISSION

2007 FEB 22 A 11: 14

Ken Bourkland

-vs-

Commonwealth Edison Company

Complaint as to service in  
St. Charles, Illinois.

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*0726*  
06-0514

CHIEF CLERK'S OFFICE

**AMENDED ANSWER TO COMPLAINT**

Now comes the Respondent, Commonwealth Edison Company ("Respondent" or ComEd") by and through its attorney, Mark L. Goldstein, and files this Amended Answer to the Complaint filed by the Complainant, Ken Bourkland ("Complainant").

1. Regarding Paragraph 1 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 1 and demands strict proof thereof. Further, the allegations of Paragraph 1 are irrelevant to the relief sought by Complainant regarding the elevation or burial of electrical lines.

2. Regarding Paragraph 2 (all 4 paragraphs labeled No. 2) of the Complaint, Respondent denies any criminal damage to Complainant's property and has no knowledge thereof sufficient to form a belief as to the truth of the remaining allegations and neither admits nor denies the remaining allegations in Paragraph 2 and demands strict proof thereof.

3. Regarding Paragraph 3 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 3 and demands strict proof thereof.

4. Regarding Paragraph 4 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 4 and demands strict proof thereof.

5. Regarding Paragraph 5 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 5 and demands strict proof thereof.

6. Regarding Paragraph 6 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 6 and demands strict proof thereof.

7. Regarding Paragraph 7 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 7 and demands strict proof thereof.


8. Regarding Paragraph 8 of the Complaint, Respondent denies threatening Complainant and admits that ComEd is obligated to maintain a 12 feet clearance for electrical lines on Complainant's property and states that this is in compliance with the NESC and the Illinois Commerce Commission Rules. Respondent has no knowledge thereof sufficient to form a belief as to the truth of the remaining allegations and neither admits nor denies the remaining allegations in Paragraph 8 and demands strict proof thereof.

9. Regarding Paragraph 9 of the Complaint, Respondent denies any criminal damage to Complainant's property and admits to tree trimming in September of 2006 on or near Complainants property in compliance with the NESC, the Illinois Commerce Commission Rules, and legally valid utility easements. Respondent has no knowledge

thereof sufficient to form a belief as to the truth of the remaining allegations and neither admits nor denies the remaining allegations in Paragraph 9 and demands strict proof thereof.

10. Regarding Paragraph 10 of the Complaint, Respondent has no knowledge thereof sufficient to form a belief as to the truth of the allegations and neither admits nor denies the allegations in Paragraph 10 and demands strict proof thereof. Further, the allegations of Paragraph 10 are irrelevant to the relief sought by Complainant regarding the elevation or burial of electrical line.

Respectfully submitted,  
COMMONWEALTH EDISON COMPANY

By:   
Mark L. Goldstein, Its Attorney

Mark L. Goldstein  
Attorney for Respondent  
108 Wilmot Road, Suite 330  
Deerfield, IL 60015  
Phone: (847) 580-5480  
Facsimile: (847) 945-9512  
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**VERIFICATION**

JOHN PARISE, being first duly sworn on oath, states that he is the Senior Administrator, Regulatory Strategies for the Respondent, Commonwealth Edison Company, that he has handled the informal and formal complaints filed by Ken Bourkland herein, that he has read the foregoing Respondent's Amended Answer to Complaint, and that to his best knowledge and belief the statements of want of knowledge and the answers set forth in the Amended Answer are true.

*John Parise*

John Parise

Subscribed and Sworn to before me

this 20<sup>th</sup> day of February, 2007.

*Susan Kuta*  
Notary Public



**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

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v.

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**NOTICE OF FILING**

TO: Parties on Certificate of Service

PLEASE TAKE NOTICE that on February 20, 2007 I filed with the Chief Clerk of the Illinois Commerce Commission the Respondent's AMENDED ANSWER TO THE COMPLAINT and MOTION FOR RECONSIDERATION, attached hereto, copies of which are hereby served upon you.



Mark L. Goldstein, Attorney for Respondent  
108 Wilmot Road, Suite 330  
Deerfield, IL 60015  
Phone: (847) 580-5480

**CERTIFICATE OF SERVICE**

I hereby certify that on February 20, 2007, I served a copy of the attached Respondent's AMENDED ANSWER and MOTION FOR RECONSIDERATION, via U.S. Mail, first class postage prepaid, addressed to each of the parties below:

Ms. Elizabeth A. Rolando  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

Mr. Ken Bourkland  
6N347 Old Homestead Road  
St. Charles, IL 60175

Mr. Ian Brodsky  
Administrative Law Judge  
Illinois Commerce Commission  
160 N. LaSalle St., Ste. C-800  
Chicago, IL 60601

  
Mark L. Goldstein